



**REQUEST FOR BIDS  
RFB # FY11-5100-02**

The City of Takoma Park Department of Housing & Community Development  
is accepting bids for the following project:

**Purchase of Single Family Residence  
7123 Sycamore Avenue, Takoma Park, Maryland**

For technical information please contact:

Marjorie Ciccone, Code Enforcement Coordinator  
Department of Housing & Community Development  
City of Takoma Park  
7500 Maple Avenue  
Takoma Park, MD 20912  
Phone: 301-891-7234  
Fax: 301-270-4568  
[marjoriec@takomagov.org](mailto:marjoriec@takomagov.org)

**City of Takoma Park, Maryland**  
**RFB #FY11-5100-02**  
**PURCHASE OF SINGLE FAMILY RESIDENCE**  
**7123 Sycamore Avenue, Takoma Park, MD**

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**REQUEST FOR BIDS – RFB # FY11-5100-02**

**PURCHASE OF SINGLE FAMILY RESIDENCE  
NOTICE TO POTENTIAL BIDDERS**

**Contract For:** Purchase of a single family residence

**Location:** 7123 Sycamore Avenue, Takoma Park MD

**Start of bid process:** Bid documents will be available beginning Friday, December 17, 2010.  
Bid packages may be obtained via e-mail, mail, or on the City of Takoma Park web site at [www.takomaparkmd.gov](http://www.takomaparkmd.gov)

**Pre-bid meeting:** 2:00 p.m. on Friday, January 7, 2011  
7123 Sycamore Avenue, Takoma Park MD 20912

**Sealed bids due by:** 4:00 p.m. on Friday, February 11, 2011

To be considered, Bidder must submit an original and two (2) copies of the Request for Bids in a sealed envelope or package, clearly marked with the Bidder's name, address, and the words "RFB #FY11-5100-02 Purchase of 7123 Sycamore Avenue, Takoma Park, MD 20912." Bids must be addressed to: City of Takoma Park Maryland, Housing and Community Development Department, Attn: Marjorie Ciccone, Code Enforcement Coordinator, 7500 Maple Avenue, Takoma Park, MD 20912

NO FAXED, ELECTRONIC, OR ORAL BIDS WILL BE ACCEPTED.

**Description:** The purchase of a 2½ story stick built single family residence. The property is located within the Takoma Park Historic District and has been classified as a contributing resource. The successful bidder must include a proposal for the repair of the structure and document his or her financial ability to complete the project as described in a timely manner in accordance with all local, county and state laws and regulations.

**Project Manager:** Marjorie Ciccone, Code Enforcement Coordinator  
Phone 301-891-7234, Fax 301-270-4568  
[marjoriec@takomagov.org](mailto:marjoriec@takomagov.org)

## **SECTION 1 - GENERAL CONDITIONS**

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### **Receipt of Bids**

- a. Bids are due by 4:00 p.m. on Friday, February 11, 2011. Bids or amendments received after the time specified below for Bid Opening will not be considered.
- b. To be considered, Bidder must submit an original and two (2) copies of the Request for Bids in a sealed envelope or package, clearly marked with the Bidder's name, address, and the words "RFB #FY11-5100-02 Purchase of 7123 Sycamore Avenue., Takoma Park, MD 20912"

Bids must be addressed to:

City of Takoma Park, Maryland  
Housing and Community Development Department  
Attn: Marjorie Ciccone, Code Enforcement Coordinator  
7500 Maple Avenue, Takoma Park, MD 20912

- c. Properly marked bids received prior to the specified time of Bid Opening will be kept unopened in the offices of the City's Housing and Community Development Department.
- d. No liability shall be attached to the City or appointed City representative for the premature opening of an improperly addressed or improperly identified bid.
- e. NO FAXED, ELECTRONIC, OR ORAL BIDS WILL BE ACCEPTED.

### **Pre-Bid Meeting**

- a. An on-site pre-bid meeting will be conducted on Friday, January 7, 2011 at 2:00 p.m.

The meeting will be held at 7123 Sycamore Avenue, Takoma Park MD 20912. Interested bidders will be given an opportunity to view selected areas of the interior of the house. Due to the condition of the structure, only those individuals who have competed and signed a "Request for Permission for Entry" will be given access to the interior of the house (Exhibit A). Additional appointments to view the interior of the structure will be scheduled on a case by case basis for those individuals attending the pre-bid meeting and who require additional time to complete their bid.

- b. Interested Bidders are encouraged to attend the meeting.

### **Bid Opening**

- a. Bids will be opened at 4:15 p.m. on Friday, February 11, 2011.
- b. Submitted Bids shall be binding for ninety (90) calendar days from the date of the bid opening. Unless otherwise specified by the City, all bids become the property of the City and will be a matter of public record.

### **Award or Rejection of Bids**

- a. The City and the property owners representatives, the Attorneys-in-Fact, reserve the right, in their sole discretion, to: 1) accept a bid in part or as a whole; 2) reject any or all bids; 3) re-advertise the Request for Bids; 4) waive any required information set forth in this Request for Bids; 5) select a bid and make a contract award which best serves the interests of the City and the property owners; 6) reject any and all bids that comply with these Request for Bids specifications; or 7) to accept a lower bid proposal that complies, provided that, in the judgment of the Attorneys-in-Fact, the services or items offered under the lower bid proposal have additional values or functions justifying the difference in price.
- b. The Attorneys-in-Fact reserve the right to personally interview Bidders prior to making a bid award.
- c. The Attorneys-in-Fact also reserve the right, in their sole discretion, to reject the proposal of a Bidder who has previously failed to satisfactorily perform or to timely complete a contract of a similar nature (whether for the City or for a different jurisdiction or entity) or a proposal of a Bidder who, upon investigation, is not in position to perform the contract.
- d. A written notice of the acceptance of the bid will be provided to the successful Bidder within ninety (90) days of the Bid Opening.

### **Execution of Contract**

The successful Bidder will be expected to sign a Purchase Contract for the Property within 14 days of acceptance of the bid and finalize the purchase of the Property within 30 days of the execution of the Purchase Contract. The Contract may not include a financing, inspection or other contingencies and shall provide for the Bidder to pay all settlement costs other than a 50/50 division of transfer and recordation taxes.

## **SECTION 2 – PROPERTY INFORMATION**

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### **Purpose**

Bids are being accepted for the purchase and repair/renovation of 7123 Sycamore Avenue (the Property). The Property is being sold in its current condition with the expectation that the successful bidder will address identified Property Maintenance Code violations and proceed with the repair and renovation of the Property in a timely and appropriate manner in accordance with all local, county and state regulations.

### **Authority to Sell / Attorney-in-Fact**

The Property is owned by Garth D. Boyer and Brian C. Boyer, as tenants in common. Mr. Garth Boyer has appointed the City of Takoma Park, MD as his Attorney-in-Fact, giving the City “the full power and authority” to sell his interest in the Property. Mr. Brian C. Boyer has appointed Mr. Ronald Wylie as his Attorney-in-Fact, with similar power and authority to sell his interest in the Property. Documentation of the Limited Power of Attorneys to the City and to Mr. Wylie is attached as Exhibit B.

### **Location**

The Property is located at 7123 Sycamore Avenue, Takoma Park MD 20912 and sited within the Takoma Park Historic District (Exhibit C).

### **Legal Description**

Legal description is attached as Exhibit D.

### **Description**

Stick-built craftsman style single family house built circa 1920. The 2½ story building is approximately 2,482 sq. ft. in size with an approximately 1,066 sq. ft. basement and a masonry foundation. The site is comprised of two parcels with a combined lot size of approximately 17,472 sq. ft. (Exhibit E). Access is provided via a shared driveway from Sycamore Avenue and shared access off Ethan Allen Avenue. The property has been condemned as unsafe by the City of Takoma Park Maryland for failure to comply with the Takoma Park Property Maintenance Code. (Additional information on the condition of the Property, see “Current Condition” description below.) Photographs of the house are included in Exhibit F.

### **Historic Designation**

The Property is located within the boundaries of the Takoma Park Historic District and has been designated as a contributing resource. As such, any exterior renovation of the structure and improvements to the grounds must be completed in accordance with the requirements set forth in *Montgomery County Maryland Code Chapter 24A. Historic Resources Preservation- Excerpts* (Exhibit G) and the *Standards for Rehabilitation* issued by the U.S. Secretary of the Interior (Exhibit H).

### **Current Condition**

Property was condemned as unsafe by the City of Takoma Park on May 28, 2008 for failure to comply with the requirements of the Property Maintenance Code (*Takoma Park City Code Chapter 6.12 and 6.36*). Detailed information on identified unsafe conditions and Property Maintenance Code violations

are detailed in the accompanying “Order for Abatement” issued by the District Court of Maryland for Montgomery County (Exhibit I).

**Zoning**

Property is located in a R60 Residential, One-Family Zone and is subject to the requirements set forth in *Montgomery County Maryland Code Chapter 59 Zoning*.

### **Section 3 – BID REQUIREMENTS**

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All responders to this Request for Bids must include the following in their submission. All responses must be complete. The City reserves the right to disregard any incomplete bid responses.

1. Bidder Qualification and Certification Statement (Attachment A)

2. Project Narrative

Narrative detailing past experience in the repair or renovation of historic properties and planned repairs or renovation to the offered property to address identified Property Maintenance Code violations (Exhibit I).

3. Project Schedule

Preliminary project schedule which notes when renovation plans would be finalized, permits secured, construction initiated, and anticipated completion date.

4. Project Budget

Preliminary budget noting estimated cost of proposed repairs or renovations.

5. Bid Sheet

Price offered for acquisition of property (Attachment B)

6. Financing Plan

Narrative describing how the purchase and planned renovation are to be financed, including any planned construction costs, proposed funding sources, and amounts of equity and debt financing.

7. Bidder Reference List (Attachment C)

8. Good Faith Deposit

All Bids must include a Good Faith Deposit of \$10,000. An acceptable form of deposit is a cashier's check or certified check made payable to the City of Takoma Park Maryland. A letter of credit in lieu of the cashier's/certified check will be accepted. The City will deposit the funds into a special (non-interest bearing) account and will return the funds to all bid responders who are not selected. In the event a proposal is accepted, the deposit of the successful bidder will be retained by the City and applied to the purchase price of the Property.

9. Contractor's Certification of Non-Involvement in the Nuclear Weapons Industry (Attachment D)

#### **Section 4 - EVALUATION AND SELECTION PROCESS**

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The award will be made by a review panel consisting of Mr. Ron Wylie, Attorney-in-Fact for Mr. Brian C. Boyer, and the City of Takoma Park, Attorney-in-Fact for Mr. Garth D. Boyer.

Bids will be evaluated and scored on the following criteria:

- Bid price 60 pts
- Bidder's ability to complete the purchase of the property and the repair and renovation of the property in a timely manner 30 pts
- Bidder's experience in the repair or renovation of historic properties 10 pts

City of Takoma Park, Maryland

**RFB #FY11-5100-02**  
**PURCHASE OF SINGLE FAMILY RESIDENCE**  
7123 Sycamore Avenue, Takoma Park, Maryland

WHEN SUBMITTING YOUR BID PROPOSAL, PLEASE USE THE BIDDER  
QUALIFICATION AND CERTIFICATION STATEMENT PAGE AS A COVER SHEET FOR  
YOUR BID OR PROPOSAL.

**BIDDER QUALIFICATION AND CERTIFICATION STATEMENT**

**1. BIDDER QUALIFICATION.** Bidder is:

- \_\_\_\_\_ a. 1) A corporation incorporated under the laws of the State of Maryland, and in good standing to do business in the State of Maryland.
- 2) A corporation incorporated under the laws of (insert jurisdiction) \_\_\_\_\_, and registered or qualified and in good standing to do business in the State of Maryland.
- 3) List corporate name and the names and titles of the corporation's directors and officers:
- \_\_\_\_\_ b. A sole proprietor doing business under his/her individual name.  
Individual name:
- \_\_\_\_\_ c. A sole proprietor doing business under a trade or business name (for example, John Doe t/a Doe Masonry). List individual name and trade or business name:
- \_\_\_\_\_ d. A partnership. List type of partnership and the names of all general partners:
- \_\_\_\_\_ e. A limited liability company organized under the laws of the State of \_\_\_\_\_, and authorized to do business in the State of Maryland
- List the limited liability company name and the names of all members:
- \_\_\_\_\_ f. Other (explain):

## 2. BIDDER'S CERTIFICATION

The undersigned proposes to purchase the Property at 7123 Sycamore Avenue, Takoma Park, MD 20912, and to comply with all terms, specifications, and stipulations contained in the Request for Bids for the prices listed on the enclosed Bid Sheet.

The undersigned certifies that this bid/proposal is made without any previous understanding, agreement or connection with any person, firm, or corporation submitting a bid/proposal for the purchase and repair/renovation of the Property at 7123 Sycamore Avenue, Takoma Park, MD 20912, and this bid is, in all respects fair and without collusion or fraud. The undersigned further certifies that he/she is the bidder (if an individual) or is authorized to sign for the bidder.

Bidder Name (print): \_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Business Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ FAX \_\_\_\_\_

E-Mail: \_\_\_\_\_

Web Site: \_\_\_\_\_

**Responses to this Request for Bids must be received by  
4:00 p.m. on Friday, February 11, 2011**

City of Takoma Park, Maryland

**RFB #FY11-5100-02**  
**PURCHASE OF SINGLE FAMILY RESIDENCE**  
7123 Sycamore Avenue, Takoma Park, Maryland

**BID SHEET**

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In accordance with the above referenced Request for Bids, I hereby certify that I/we am/are the only person or persons interested in this bid proposal; that an examination of the bid documents and specifications included therein has been made; and I/we propose to purchase the Property, in its current condition for the following price; and that this bid shall be binding for City acceptance and valid for 90 calendar days from the date of the bid opening.

Furthermore, I accept the terms and conditions set forth in this request for bids.

Bid Price: \_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Date: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

**BIDDER'S CERTIFICATION OF NON-INVOLVEMENT IN THE  
NUCLEAR WEAPONS INDUSTRY**

KNOW ALL PERSONS BY THESE PRESENTS:

Pursuant to the requirements of Chapter 14.04 of the Takoma Park Code, the Takoma Park Nuclear Free Zone Act, the undersigned person, firm, corporation or entity hereby certifies that he/she/it is not knowingly or intentionally a nuclear weapons producer.

Note: The following definitions apply to this certification per section 14.04.090:

A "nuclear weapons producer" is any person, firm, corporation, facility, parent or subsidiary thereof or agency of the federal government engaged in the production of nuclear weapons or its components.

"Production of nuclear weapons" includes the knowing or intentional research, design, development, testing, manufacture, evaluation, maintenance, storage, transportation or disposal of nuclear weapons or their components.

"Nuclear weapon" is any device the sole purpose of which is the destruction of human life and property by an explosion resulting from the energy released by a fission or fusion reaction involving atomic nuclei.

"Component of a nuclear weapon" is any device, radioactive substance or nonradioactive substance designed knowingly and intentionally to contribute to the operation, launch, guidance, delivery or detonation of a nuclear weapon.

IN WITNESS WHEREOF, the undersigned Bidder has signed this Certification this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Bidder Name: \_\_\_\_\_

By : \_\_\_\_\_ (SEAL)  
Signature

\_\_\_\_\_  
Print Name & Title

State of \_\_\_\_\_, County of \_\_\_\_\_:

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**REQUEST FOR PERMISSION FOR ENTRY**

The undersigned requests permission for \_\_\_\_\_  
 \_\_\_\_\_ (insert names and/or organization)  
 to enter into the house located at 7123 Sycamore Avenue, Takoma Park, Maryland, on:  
 \_\_\_\_\_ (insert dates and/or times)  
 for the following purposes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The undersigned understands and acknowledges that the City of Takoma Park ("City") has condemned the house at 7123 Sycamore Avenue, Takoma Park, Maryland, as unsafe for occupancy and use and that the undersigned enters the house and premises of 7123 Sycamore Avenue at the undersigned's risk. In consideration of the City's granting permission for entry into 7123 Sycamore Avenue, the undersigned, and the heirs, personal representatives, successors, and assigns of the undersigned, waives, releases, and discharges the City, its employees, officials, and agents, from and against any loss, personal injury, death, and any other damage to persons or property (collectively "claims") arising out of or in any way connected to the entry into 7123 Sycamore Avenue. Further, the undersigned agrees to hold harmless, defend, and indemnify the City for any claims of third parties arising out of or in any way connected the City's grant of permission for entry into 7123 Sycamore Avenue.

The undersigned has carefully read and understands the contents of this Request for Permission for Entry document and consents and agrees to the terms of it.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_

**CITY OF TAKOMA PARK, MARYLAND**

Permission for entry granted: \_\_\_\_\_

Permission for entry denied: \_\_\_\_\_

Special terms and conditions: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Title/Department: \_\_\_\_\_

Parcel ID No.: 13-25-01058780

Street Address of Property:

7123 Sycamore Avenue  
Takoma Park, MD 20912

**LIMITED POWER OF ATTORNEY**

KNOW ALL PERSONS BY THESE PRESENTS:

THAT Garth D. Boyer hereby makes, constitutes, and appoints the City of Takoma Park, Maryland, a municipal corporation, 7500 Maple Avenue, Takoma Park, MD 20912 (hereinafter referred to as the "City"), as my true and lawful Attorney-in-Fact for me and in my name, place and stead, with full power of substitution, giving to the Attorney-in-Fact full power and authority to do and perform all acts, deeds, matters, and things in connection with the power to sell real property, legally described on Exhibit "A" and located at street address 7123 Sycamore Avenue, Takoma Park, MD 20912 (hereinafter referred to as "the property"), to wit:

(a) To negotiate and enter into listing agreements, sales contracts, and amendments thereto for the sale of the property, upon such terms and conditions as the Attorney-in-Fact shall deem necessary or appropriate; to authorize and conduct inspections of the property; and to take all necessary actions to accomplish the sale of the property.

(b) To enter upon and take possession and control of the property; to preserve and maintain the property; to make repairs and alterations to the property so as to place the property in such condition as will, in the City's sole discretion, improve the marketability of the property.

(c) To attend settlement on the sale of the real property and perform all acts necessary to consummate settlement, such as, but not limited to, approval and execution of a Deed conveying the real property and the Settlement Statement (HUD-1) used to account for the funds exchanged in the transaction;

(d) To approve, execute, and deliver, in the name of the City as Attorney-in-Fact, such documents, instruments, affidavits, certifications or other papers as are necessary or appropriate to market and sell the property or complete settlement of the same.

(e) To accept the proceeds of the sale; to payoff any and all deeds of trust, liens, and encumbrances on the property; to compensate the Attorney-in-Fact for its services hereunder, at the Attorney-in-Fact's customary rate, plus reimbursement of all reasonable and necessary out-of-pocket expenses; to pay all reasonable and necessary expenses of the sale of the property; and to remit the remaining net proceeds from the sale of the property, if any, to Brian C. Boyer and Garth D. Boyer.

(f) To approve and execute any and all other documents deemed necessary to accomplish and consummate the sale of the property.

Giving and granting to the Attorney-in-Fact full power and authority to do and perform all desirable acts and things in furtherance of the above powers, as fully as we might or could do if personally present. The signature of our names by the Attorney-in-Fact, or any action taken by the Attorney-in-Fact pursuant to this Limited Power of Attorney shall be binding and effective against all persons, including us and our heirs, personal representatives, successors, and assigns. This Limited Power of Attorney shall be administered and interpreted according to the law of the State of Maryland. This Limited Power of Attorney shall not be affected by the disability or incapacity of ~~Brian C. Boyer and~~ Garth D. Boyer, pursuant to Section 13-601 of the Estates and Trusts Article of the Annotated Code of Maryland, as amended.

IN WITNESS WHEREOF, ~~Brian C. Boyer and~~ Garth D. Boyer have signed this Limited Power of Attorney, under seal this 25<sup>th</sup> day of May, 2010.

\_\_\_\_\_(SEAL)  
~~Brian C. Boyer~~  
Garth D. Boyer (SEAL)  
Garth D. Boyer

~~STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_: To Wit:~~

~~On this \_\_\_\_\_ day of \_\_\_\_\_, 2010, before me, the undersigned officer, personally appeared Brian C. Boyer, known to me (or satisfactorily identified) to be the person described in the foregoing Special Power of Attorney and subscribed to the said Special Power of Attorney and acknowledged the same as his act and deed for the purposes therein contained.~~

~~IN WITNESS WHEREOF, I set my hand and official seal.~~

~~\_\_\_\_\_  
Notary Public~~

~~My commission expires: \_\_\_\_\_~~

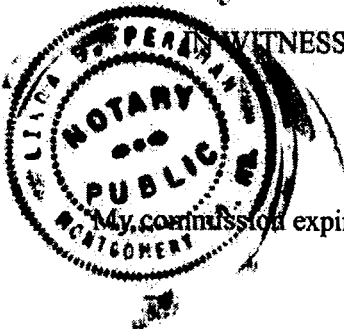
STATE OF Maryland, COUNTY OF Montgomery: To Wit:

On this 25 day of May, 2010, before me, the undersigned officer, personally appeared Garth D. Boyer, known to me (or satisfactorily identified) to be the person described in the foregoing Special Power of Attorney and subscribed to the said Special Power of Attorney and acknowledged the same as his act and deed for the purposes therein contained.

IN WITNESS WHEREOF, I set my hand and official seal.

Linda S. Perlman  
Notary Public Linda S. Perlman

My commission expires: 5/9/14



**EXHIBIT "A"**  
(Legal Description of Property)

Lot numbered Forty-Five (45) of William J. And Nalia M. Stone's resubdivision of Lots One (1) and Two (2) and Five (5) in Block Twenty-Two (22) in the subdivision known as "Gilbert's Addition to Takoma Park" as shown on plat recorded in Plat Book No. 2, folio 196, one of the Land Records of Montgomery County, Maryland.

SUBJECT TO an easement for the benefit of Lot No. Forty-Four (44) over five feet (5') of Lot Forty-Five (45) adjoining Lot Forty-Four (44) for a joint driveway for the use of said lots, owners to bear equally the expenses of maintaining said way.

AND

Part of Lot Three (3), Block Twenty-Two (22) of "B.F. Gilbert's Addition to Takoma Park," as shown in Plat Book A at Plat 2, one of the Land Records of Montgomery County, Maryland, and

BEGINNING for the same at a point on the front line of said lot North 87° 07' East 42.05 feet from a stone found at the northwest corner of said lot and running thence:

1. South 02° 53' East 115.00 feet to a point; thence
2. South 87° 07' West 42.05 feet to a point on the westerly line of said lot and thence with it
3. South 02° 53' East 91.00 feet to a point to the southwest corner of said lot and thence with the rear line of said lot
4. North 76° 54' East 101.5 feet to a point; thence with part of the east line of said lot
5. North 02° 53' West 70.00 feet to a point; thence
6. South 87° 07' West 42.50 feet to a point; thence
7. North 02° 53' West 115.00 feet to a point on the front line of said lot and thence with it
8. South 87° 07' West 15.00 feet to the beginning, containing 9,925 square feet.

F:\TAKOMA\BOYER.BRI\POA\_sell 7123 Sycamore\_5'25'10.wpd

Parcel ID No.: 13-25-01058780

Street Address of Property:

7123 Sycamore Avenue

Takoma Park, MD 20912

LIMITED POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS:

THAT I, Brian C. Boyer, make, constitute, and appoint Ronald J. Wylie as my true and lawful Attorney-in-Fact for me and in my name, place and stead, with full power of substitution, giving to my Attorney-in-Fact full power and authority to do and perform all acts, deeds, matters, and things in connection with the power to sell real property, legally described on Exhibit "A" and located at street address 7123 Sycamore Avenue, Takoma Park, MD 20912 (hereinafter referred to as "the property"), to wit:

- (a) To negotiate and enter into listing agreements, sales contracts, and amendments thereto for the sale and/or redevelopment of the property, upon such terms and conditions as the Attorney-in-Fact shall deem necessary or appropriate; to authorize and conduct inspections of the property; and to take all necessary actions to accomplish the sale and/or redevelopment of the property.
- (b) To enter upon and take possession and control of the property; to preserve and maintain the property; to make repairs and alterations to the property so as to place the property in such condition as will, in the City's sole discretion, improve the marketability of the property.
- (c) To attend settlement on the sale of the real property and perform all acts necessary to consummate settlement, such as, but not limited to, approval and execution of a Deed conveying the real property and the Settlement Statement (HUD-1) used to account for the funds exchanged in the transaction;
- (d) To approve, execute, and deliver such contracts, applications, documents, instruments, affidavits, certifications or other papers as are necessary or appropriate to apply for permits, contract for repairs and redevelopment, and to market and sell the property or to complete settlement of the same.
- (e) To accept the proceeds of the sale; to payoff any and all deeds of trust, liens, and encumbrances on the property; to compensate my Attorney-in-Fact for his services hereunder, at the Attorney-in-Fact's customary rate, plus reimbursement of all reasonable and necessary out-of-pocket expenses; to pay all reasonable and necessary expenses of the sale, marketing, maintenance, repair, and improvement of the property; and to remit the remaining net proceeds from the sale of the property, if any, to Brian C. Boyer and Garth D. Boyer.
- (f) To approve and execute any and all other documents deemed necessary to accomplish and consummate the sale and transfer of the property.

Giving and granting to the Attorney-in-Fact full power and authority to do and perform all desirable acts and things in furtherance of the above powers, as fully as I might or could do if personally present. The signature of my name by the Attorney-in-Fact, or any action taken by the Attorney-in-Fact pursuant to this Limited Power of Attorney shall be binding and effective against all persons, including me and my heirs, personal representatives, successors, and assigns. This Limited Power of Attorney shall be administered and interpreted according to the law of the State of Maryland. This Limited Power of Attorney shall not be affected by my disability or incapacity, pursuant to Section 13-601 of the Estates and Trusts Article of the Annotated Code of Maryland, as amended.

IN WITNESS WHEREOF, Brian C. Boyer has signed this Limited Power of Attorney, under seal this 17<sup>th</sup> day of June, 2010.

Brian C Boyer (SEAL)  
Brian C. Boyer

STATE OF MARYLAND, COUNTY OF FREDERICK: To Wit:

On this 17<sup>th</sup> day of June, 2010, before me, the undersigned officer, personally appeared Brian C. Boyer, known to me (or satisfactorily identified) to be the person described in the foregoing Limited Power of Attorney and subscribed to the said Limited Power of Attorney and acknowledged the same as his act and deed for the purposes therein contained.

IN WITNESS WHEREOF, I set my hand and official seal.

Gwendolyn E. Hartman  
Notary Public

My commission expires: \_\_\_\_\_

**Gwendolyn E. Hartman**  
**NOTARY PUBLIC**  
**FREDERICK COUNTY**  
**MARYLAND**  
My Commission Expires Jan. 20, 2013

EXHIBIT "A"  
(Legal Description of Property)

Lot numbered Forty-Five (45) of William J. and Nalia M. Stone's resubdivision of Lots One (1) and Two (2) and Five (5) in Block Twenty-Two (22) in the subdivision known as "Gilbert's Addition to Takoma Park" as shown on plat recorded in Plat Book No. 2, folio 196, one of the Land Records of Montgomery County, Maryland.

SUBJECT TO an easement for the benefit of Lot No. Forty-Four (44) over five feet (5') of Lot Forty-Five (45) adjoining Lot Forty-Four (44) for a joint driveway for the use of said lots, owners to bear equally the expenses of maintaining said way.

AND

Part of Lot Three (3), Block Twenty-Two (22) of "B.F. Gilbert's Addition to Takoma Park," as shown in Plat Book A at Plat 2, one of the Land Records of Montgomery County, Maryland, and

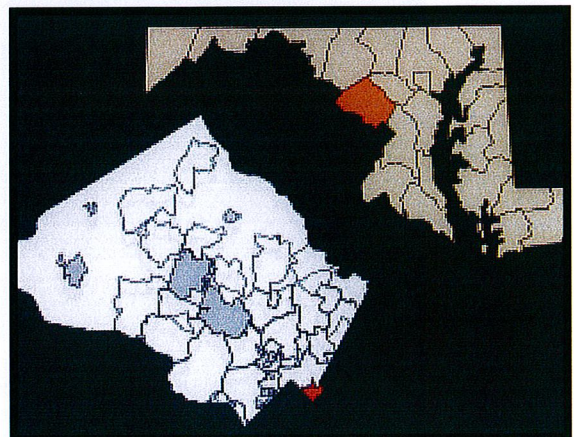
BEGINNING for the same at a point on the front line of said lot North 87° 07' East 42.05 feet from a stone found at the northwest corner of said lot and running thence:

1. South 02° 53' East 115.00 feet to a point; thence
2. South 87° 07' West 42.05 feet to a point on the westerly line of said lot and thence with it
3. South 02° 53' East 91.00 feet to a point to the southwest corner of said lot and thence with the rear line of said lot
4. North 76° 54' East 101.5 feet to a point; thence with part of the east line of said lot
5. North 02° 53' West 70.00 feet to a point; thence
6. South 87° 07' West 42.50 feet to a point; thence
7. North 02° 53' West 115.00 feet to a point on the front line of said lot and thence with it
8. South 87° 07' West 15.00 feet to the beginning, containing 9,925 square feet.

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## LOCATION MAP

7123 Sycamore Avenue, Takoma Park MD



# LOCATION MAP

7123 Sycamore Avenue, Takoma Park MD



EXHIBIT "A"  
(Legal Description of Property)

Lot numbered Forty-Five (45) of William J. And Nalia M. Stone's resubdivision of Lots One (1) and Two (2) and Five (5) in Block Twenty-Two (22) in the subdivision known as "Gilbert's Addition to Takoma Park" as shown on plat recorded in Plat Book No. 2, folio 196, one of the Land Records of Montgomery County, Maryland.

SUBJECT TO an easement for the benefit of Lot No. Forty-Four (44) over five feet (5') of Lot Forty-Five (45) adjoining Lot Forty-Four (44) for a joint driveway for the use of said lots, owners to bear equally the expenses of maintaining said way.

AND

Part of Lot Three (3), Block Twenty-Two (22) of "B.F. Gilbert's Addition to Takoma Park," as shown in Plat Book A at Plat 2, one of the Land Records of Montgomery County, Maryland, and

BEGINNING for the same at a point on the front line of said lot North 87° 07' East 42.05 feet from a stone found at the northwest corner of said lot and running thence:

1. South 02° 53' East 115.00 feet to a point; thence
2. South 87° 07' West 42.05 feet to a point on the westerly line of said lot and thence with it
3. South 02° 53' East 91.00 feet to a point to the southwest corner of said lot and thence with the rear line of said lot
4. North 76° 54' East 101.5 feet to a point; thence with part of the east line of said lot
5. North 02° 53' West 70.00 feet to a point; thence
6. South 87° 07' West 42.50 feet to a point; thence
7. North 02° 53' West 115.00 feet to a point on the front line of said lot and thence with it
8. South 87° 07' West 15.00 feet to the beginning, containing 9,925 square feet.

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**Maryland Department of Assessments and Taxation**  
**MONTGOMERY COUNTY**  
**Real Property Data Search** (2007 vw3.1e)

[Go Back](#)  
[View Map](#)  
[New Search](#)

**Account Identifier:** District - 13 **Account Number -** 01058780

**Owner Information**

**Owner Name:** BOYER, BRIAN C ET AL **Use:** RESIDENTIAL  
**Mailing Address:** PO BOX 108 **Principal Residence:** NO  
WOODSBORO MD 21798-0108 **Deed Reference:** 1) / 8121/ 586  
2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
7123 SYCAMORE AVE B F G 2882/266 8062/  
TAKOMA PARK 20912 589

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
JN51				25		22	45	1	Plat Ref:

**Special Tax Areas** **Town** TAKOMA PARK  
**Ad Valorem**  
**Tax Class** 74

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		7,547.00 SF	111

Stories	Basement	Type	Exterior

**Value Information**

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2010	07/01/2011
<b>Land</b>	377,420	308,100		
<b>Improvements:</b>	100	100		
<b>Total:</b>	377,520	308,200	308,200	308,200
<b>Preferential Land:</b>	0	0	0	0

**Transfer Information**

<b>Seller:</b>	<b>Date:</b> 01/21/1988	<b>Price:</b> \$43,333
<b>Type:</b> IMPROVED ARMS-LENGTH	<b>Deed1:</b> / 8121/ 586	<b>Deed2:</b>
<b>Seller:</b>	<b>Date:</b>	<b>Price:</b>
<b>Type:</b>	<b>Deed1:</b>	<b>Deed2:</b>
<b>Seller:</b>	<b>Date:</b>	<b>Price:</b>
<b>Type:</b>	<b>Deed1:</b>	<b>Deed2:</b>

**Exemption Information**

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
<b>County</b>	000	0	0
<b>State</b>	000	0	0
<b>Municipal</b>	000	0	0

**Tax Exempt:** NO  
**Exempt Class:**

**Special Tax Recapture:**  
\* NONE \*



Account Identifier: District - 13 Account Number - 01058791

**Owner Information**

Owner Name: BOYER, BRIAN C ET AL Use: RESIDENTIAL  
Principal Residence: NO  
Mailing Address: PO BOX 108 Deed Reference: 1) / 8121/ 586  
WOODSBORO MD 21798-0108 2)

**Location & Structure Information**

Premises Address Legal Description  
SYCAMORE AVE B F G 2882/266 8062/  
TAKOMA PARK 20912 589

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
JN51				25		22	P3	1	Plat Ref:

Special Tax Areas Town TAKOMA PARK  
Ad Valorem  
Tax Class 74

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		9,925.00 SF	910

Stories	Basement	Type	Exterior

**Value Information**

	Base Value	Value As Of 01/01/2010	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	99,070	80,800		
Improvements:	0	0		
Total:	99,070	80,800	80,800	80,800
Preferential Land:	0	0	0	0

**Transfer Information**

Seller:	Date: 01/21/1988	Price: \$43,333
Type: IMPROVED ARMS-LENGTH	Deed1: / 8121/ 586	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

**Exemption Information**

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO

Special Tax Recapture:

Exempt Class:

\* NONE \*



## Chapter 24A. Historic Resources Preservation

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### Sec. 24A-6. Historic area work permits-Generally.

(a) *Required.* An historic area work permit for work on public or private property containing an historic resource must be issued pursuant to the provisions of this chapter before:

(1) Constructing, reconstructing, moving, relocating, demolishing or in any manner modifying, changing or altering the exterior features of any historic site or any historic resource located within any historic district.

(2) Performing any grading, excavating, construction or substantially modifying, changing or altering the environmental setting of an historic site or an historic resource located within an historic district;

(3) Erecting or causing to be erected any sign or advertisement (with the exception of those signs which temporarily advertise for sale an historic site or an historic resource located within an historic district, or which for a temporary period advertise a political viewpoint) on the exterior or on the environmental setting of any historic site or any historic resource located within any historic district.

(b) *Exceptions.* Nothing in this section shall be construed to require the issuance of an historic area work permit for any ordinary maintenance, repair of exterior features, any customary farming operations or any landscaping, which will have no material effect on historic resource located within an historic district, of which such features are a part. For the purposes of clarification of this section, the commission shall develop and publish guidelines regarding what activities constitute ordinary maintenance and shall send a copy of these guidelines by registered mail to all owners of historic resources designated on the master plan.

(c) *Disclosure requirements.*

(1) Applicants for permits to demolish or substantially alter the exterior features of any historic site or historic resource located within an historic district are required to disclose its identification as such in writing on any application therefore.

(2) Any person who shall undertake any work as stated in subsection (a) of this section without first obtaining an historic area work permit shall be subject to the penalties established in section 24A-11.

(d) *Advice of commission prior to application.* The commission shall adopt procedures to encourage owners of historic resources to seek the advice of the commission prior to filing an application for an historic area work permit, on the appurtenances and environmental setting appropriate to the resource, construction methods and materials, financial information concerning historic preservation or any other matter under this chapter affecting the issuance of a permit. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

### Sec. 24A-7. Historic area work permits-Application procedures; appeals.

(a) *Applications.* An applicant for an historic area work permit must file an application with the Director. The application must contain all information the Commission requires to evaluate the application under this Chapter.

(b) *Referral of application.* Within 3 days after the application is complete, the Director must forward the application to the Commission for review.

(c) *Public meeting.* When the Commission receives the application, the Commission must schedule a public meeting to consider the application.

(d) *Notice.* The Commission must notify the Director and any citizen or organization that the Commission reasonably determines has an interest in the application of the time and place of the public meeting.

(e) *Conduct of Commission meeting.* The public meeting on the application must be informal and formal rules of evidence do not apply. The Commission must encourage interested parties to comment and must keep minutes of the proceedings on the application.

(f) *Action by the Commission.*

(1) The Commission must make a public decision on the application under paragraph (2) not later than 45 days after the applicant files the application or 15 days after the Commission closes the record on the application, whichever is earlier.

(2) The Commission must instruct the Director to issue or deny the permit. The Commission may require the Director to issue the permit with reasonable conditions necessary to assure that work under the permit does not harm the historical, architectural, archeological or cultural value of the historic resource.

(3) If the Commission instructs the Director to deny the permit, the Commission must notify the applicant in writing why the Commission denied the application.

(4) The commission must instruct the Director to issue the permit if the Commission finds that:

(A) Denial of the permit would prevent the reasonable use of the property or impose undue hardship on the owner; and

(B) within 120 days after the finding in subparagraph (A), no person seeking preservation has submitted an economically feasible plan for preserving the structure.

(5) If the Commission does not act on an application within the time periods provided in this subsection, the application is approved, unless the applicant agrees to extend the deadline for Commission action.

(g) *Miscellaneous provisions.*

(1) The applicant for a permit has the burden of production and persuasion on all issues the Commission determines. If another historic preservation organization holds a deed of easement for the property in the application, the applicant must submit proof to the Commission that the organization conducted an exterior architectural review and approved the action for which the applicant is seeking a permit.

(2) (A) The Commission may, by regulations issued under method (2), delegate authority to a County employee qualified in historic preservation and assigned to staff the Commission to review and approve an application for work that commonly has no more than an insignificant effect on an historic resource.

(B) The regulations:

(i) must describe the types of work that staff can review and approve, and require the Commission to review any application that is not clearly subject to staff approval; and

(ii) may waive the public meeting and notice requirements of subsections (c) and (d) for applications clearly subject to staff approval.

(C) If the staff denies or does not act on an application within 5 days after the Commission received the application from the Director, the Commission must review the application *de novo*.

(D) Staff must report monthly to the Commission and each appropriate Local Advisory Panel about any application reviewed by the staff in the previous month, including the disposition of the application.

(3) A permit may impose conditions that require waiver of a provision of the building code if the waiver is allowed under the "historic structures" provision of the building code adopted under Section 8-14 and the code inspector determines that waiver is appropriate for the specific work covered by the permit.

(4) The Director must enforce this Chapter.

(h) *Appeal.*

(1) Within 30 days after the Commission makes a public decision on an application, an aggrieved party may appeal the Commission's decision to the Board of Appeals, which must review the decision *de novo*. The Board of Appeals may affirm, modify, or reverse any order or decision of the Commission.

(2) A party may appeal a decision of the Board of Appeals under Section 2-114. (Ord. No. 9-4, § 1; Ord. No. 11-59; Ord. No. 13-111, § 1.)

**Sec. 24A-8. Same-Criteria for issuance.**

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or

(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

(3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or

(4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or

(5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or

(6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

(c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.

(d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

**Editor's note**—See County Attorney Opinion dated 12/22/98 explaining that the Historic Preservation Commission must consider historic area work permits (HAWP) guidelines, but is not bound by them.

## Historic Preservation

### Standards for Rehabilitation

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The Secretary of the Interior, under the administration of the National Park Service, created Standards for Rehabilitation that are accepted by Montgomery County as guidelines to preserve a historic property.

The Standards for Rehabilitation address the most prevalent treatment. "Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## IN THE DISTRICT COURT OF MARYLAND FOR MONTGOMERY COUNTY

CITY OF TAKOMA PARK

Plaintiff

v.

BRIAN C. &amp; GARTH BOYER

Defendant

Citation No.: 4Z33916404 MI

**RECEIVED**

APR 21 2009

**ORDER FOR ABATEMENT****DISTRICT COURT 04-03**

Upon consideration of the verified citation filed herein and any evidence presented at trial in this case, the Court finds that Defendants have committed the violations of the *Takoma Park Code* stated in the above-referenced citation and that the Plaintiff, City of Takoma Park, is entitled to this Order of Abatement pursuant to *Annotated Code of Maryland*, Article 23A, Section 3, and it is this \_\_\_\_ day of \_\_\_\_\_, 2009, by the District Court of Maryland for Montgomery County:

**ORDERED** that the Defendants have failed to maintain the structure at 7123 Sycamore Avenue, Takoma Park, Maryland, in a safe and sound condition and the structure is a public nuisance due to dilapidation, unsafe roof structure, deteriorated exterior wood, peeling paint and decay; and

**ORDERED**, that the Defendants shall immediately perform such repairs, maintenance, and remedial action necessary to stabilize the structure at 7123 Sycamore Avenue, Takoma Park, Maryland, and prevent further deterioration and shall complete such stabilization action within 30 days of the date of this Order; and

**ORDERED** that the Defendants shall correct all conditions at the property located at 7123 Sycamore Avenue, Takoma Park, Maryland, which constitute continuing violations of the *Takoma Park Code*, namely:

Defendant shall abate all unsafe building conditions at 7123 Sycamore Avenue, Takoma Park, Maryland, so that the house is structurally sound, safe for occupancy, weather-tight, habitable, and not a public nuisance including, but not limited to the following:

(1) Repair or replace unsafe and unsound roof structure of house; roof has holes, fallen and missing roof shingles, roof overhangs are falling or collapsed; gutters and downspouts are missing or have fallen off the house.

(2) Replace all damaged or deteriorated wood on exterior of house, all sides, and scape and remove all peeling, flaking, loose, and cracked paint from the exterior of the house and repaint all exterior surfaces of the house in order to protect from water seepage and decay.

(3) Repair or replace collapsing front porch structures, ceilings, and floors.

(4) Repair or replace all walls, doors, door frames, windows, window glass, and other openings of the house as needed in order to place the house in sound, secure, and weather-tight condition.

(5) Remove all mounds of trash and bulk items in interior of house which block exits and egress from interior living areas of the house.

(6) Place all exterior areas of the property in a clean, safe, and sanitary condition; remove all debris and trash from the property; and cut overgrowths of vegetation; and

**ORDERED**, that the Defendants shall correct the above conditions at 7123 Sycamore Avenue, Takoma Park, Maryland, within 60 days after the date of this Order; and it is further

**ORDERED**, that the Defendants shall obtain all necessary permits and approvals before proceeding with the repairs and restoration to the house at 7123 Sycamore Avenue, Takoma Park, Maryland; and

**ORDERED**, that the City of Takoma Park has condemned the house at 7123 Sycamore Avenue, Takoma Park, Maryland, as unsafe for occupancy and public nuisance due to dilapidation, unsound roof structure, peeling paint, and decay and if Defendants fail to repair and restore the house as set forth in this Order and within the time set forth in this Order, then Defendant shall proceed to

demolish the house at 7123 Sycamore Avenue, Takoma Park, Maryland, and shall clean-up and properly dispose of all materials and debris resulting from demolition and removal of the structure; and

**ORDERED**, that unless the Defendant repairs and restores the house as set forth in this Order, then, within 60 days of the date of this Order, Defendant shall retain a contractor to perform the demolition of the house at 7123 Sycamore Avenue, Takoma Park, Maryland, shall provide a copy of such demolition contract to the City of Takoma Park, shall apply for a demolition permit from the Montgomery County Department of Permitting Services and a Historic Area Work Permit from the Maryland-National Capital Park and Planning Commission's Historic Preservation Office; and

**ORDERED**, that upon issuance of the necessary permit(s) and approvals, Defendants shall promptly proceed with demolition and removal of the house at 7123 Sycamore Avenue, Takoma Park, Maryland, and clean-up of the site in accordance with applicable law; and

**ORDERED**, that the house at 7123 Sycamore Avenue, Takoma Park, Maryland, is unsafe for occupancy or use and no person shall enter or remain in the house except for licensed contractors for the purpose of making repairs or demolishing the unsafe structure; and it is further

**ORDERED**, that representatives of the City of Takoma Park shall be permitted to enter and inspect the property located at 7123 Sycamore Avenue, Takoma Park, Maryland, to verify that the terms of this Order are being complied with; and it is further

**ORDERED**, that if the Defendant fails to abide by this Order, the Plaintiff, City of Takoma Park, its agents, employees, and contractors, have permission to enter the property located at 7123 Sycamore Avenue, Takoma Park, Maryland, to perform repairs, maintenance, and remedial action

necessary to stabilize the structure and prevent further deterioration; to abate, repair, correct or remove any or all of the violations; or to demolish the house; and it is further

**ORDERED**, that if the Plaintiff, City of Takoma Park, abates any code violations upon the Defendant's property mentioned above pursuant to *Annotated Code of Maryland*, Article 23A, Section 3(b)(8), the Plaintiff, City of Takoma Park, shall send the Defendant a bill for the cost of abatement by regular mail to the Defendant's last known address or by any other means reasonably calculated to bring the bill to the Defendant's attention; and it is further

**ORDERED**, that if the Defendant does not pay the bill within 30 days after it is presented, the Plaintiff may file a verified statement of the costs of abating the violations with the Court and the Court shall enter a judgment against the Defendant for the cost of the abatement; and it is further

**ORDERED**, that once the Court has entered a judgment against the Defendant for the cost of abating the violations, the Plaintiff may enforce the judgment in the same manner as any other civil judgment for money, or collect the judgment in the same manner as it collects real property taxes.

**FAILURE TO COMPLY WITH THIS ORDER IS PUNISHABLE AS A CONTEMPT OF COURT.**



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Judge  
District Court of Maryland for Montgomery County

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